

### REMARKS

This is intended as a full and complete response to the Office Action dated March 5, 2008 (hereinafter “the Office Action”) having a shortened statutory period for response set to expire on June 5, 2008.

Claims 1-39 were presented for examination. Claims 1-39 were rejected as indicated below. Claims 1-39 have been amended. Support for amendments regarding sideband encapsulation to the base claims may be found in the specification of the above-captioned application, for example with reference to FIG. 5B and associated text.

Claims 1-39 were rejected under 35 U.S.C. §103(a) alleging the rejected claims as being unpatentable over U.S. Patent No. 6,321,361 (“Autechaud”) in view of U.S. Patent No. 7,305,047 (“Turner”). With this rejection, Applicant respectfully disagrees; however, such rejection is believed to be moot in view of the amendments to the base claims at least for the reasons set forth below.

In the Office Action, it is alleged that Autechaud discloses an SOF sideband signal as claimed. Applicant has reviewed Autechaud, including where indicated in the Office Action, and finds no evidence of the sideband signal as claimed.

Autechaud is directed at detecting errors. Autechaud does not teach or show sideband signaling for sideband encapsulation as claims in amended claims 1, 15, 24, and 36.

Accordingly, it is respectfully submitted that claims 1, 15, 24, and 36 should be allowed. Likewise, it is respectfully submitted that claims 2-14, 16-23, 25-35 and 37-39 should be allowed as depending upon a respective one of allowable base claims 1, 15, 24, and 36.

CONCLUSION

All claims should now be in condition for allowance and a Notice of Allowance is respectfully requested.

If there are any questions, the Applicants' attorney can be reached at Tel: 408-879-4641 (Pacific Standard Time).

Respectfully submitted,

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*I hereby certify that this correspondence is being filed via EFS-Web with the United States Patent & Trademark Office on May 30, 2008.*

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